Department of Revenue

OFFICE ~~Madras~~ of the Board of Re

STATION Madras

Ms **No.** 3608

E 432

Dated ~~14~~ 15-12-39 12-39

DES...

18 DEC 19...

(SUBJECT.)

Ports — (S. Canara) — Malpe and Bamb...

Ports — Construction of Port Office Buildi...

...ts — Surveyorship — Orders — Pos...

OFFICE OF THE ... REVENUE
22 JUL 1939
MADRAS

GOVERNMENT OF MADRAS

MB (E) 356? 24322

Public Works (Marine) Department

Endorsement No.3758 A/39-2, dated 17th July, 1939.

S. N.
20 ...
Pp 3-4c9

Ports -Milki and Baindur land - Ownership.

Ref:-From the Presidency Port Officer, No.8318 C/39-2, dated 7th July, 1939.

Referred to the Board of Revenue for ... s, in consultation with the Chief Engineer, General, Buildings and Roads if necessary, with reference to section 172 (1) of the Government of India Act, 1935.

Sch XXVI-A
... 6 GIMI
Pp 159.

K.Ramunni Menon,
Secretary to Government.

To the Board of Revenue (with enclosures in original to be returned)
Copy to the Chief Engineer (General, Buildings and Roads)

Forwarded
(By Order)

Superintendent.

Copy of letter from W. F. Ruffle Esq., Presidency Port Officer, Madras, No. 831 G1.39.2 dated 7th July 1939.-

-

Ports - Mulki and Baindur - Land - Ownership.

-

I have the honour to submit herewith for the information of Government a copy of letter D.Dis.No. 2740-39, dated 10-6-39 from the Collector of South Kanara, stating that there appear to be no title deeds to show that the plots on a portion of which it is proposed to construct Port Office buildings at Mulki and Baindur belong to the Customs Department; but that they have, however, already been registered as belonging to the Central Government etc. The Central Government accordingly require payment of the market value of the land which it is proposed to be alienated to the Port Department - c.f. letter C.No. 8646 B.II.Cus.38, dated 25-2-39 from the Collector of Salt Revenue, Madras and its enclosure (copies attached).

2. In this connection, I beg to refer to the orders of Government in G.O.No.Ms. 153, Public Works (Marine), dated 21-1-1939 on the ownership of land within port limits at Adirampatnam wherein only the site in S.No. 81/1 of the village occupied by the Custom House Office was excluded from being vested in the Provincial Government. Again, column 4 of the extract from the Settlement Register relating to the plots, enclosed herewith, define them as 'Poramboke' only. There are no title deeds to show that those plots belong to the Customs Department. Under these circumstances, I request orders whether the District Collector's decision may be -- accepted and whether the Central Government may be paid compensation for the land required by this Department.

3. A copy of letter No. 1692/38.24, dated 15-5-39 from

the

the Port Officer, Mangalore together with the sketches referred to therein is also submitted herewith for information.

Copy of letter from Sri Diwan Bahadur M.V. Vellodi, B.A., Collector of South Kanara D.Dis.No. 2740-39 dated 10-6-1939.-

Ports - Mulki and Baindur ports - Construction of Port Office buildings - Sites - Further information furnished - Your letter No. 831/G1/39, dated 17-4-1939.

The sites proposed for the construction of Port Office buildings at Mulki and Baindur lie in R.S.No. 45 (O.S.No.34/6) of Chitrap village, Mangalore Taluk and in S.No. 129/7 of Paduvari village, Coondapur Taluk, respectively. There appea to be no title deeds to show that these plots belong to the Customs Department. The plots are, however, actually in the possession of the Customs Department and they have been classe in the Settlement Register as Customs Office Poramboke evident ly on account of the existence of the Customs Offices in them. In the case of the plot S.No. 129/7 of Paduvari village, it is seen from the printed general information note book of ~~x~~ Baindur Customs Office that the Customs House is located in a Government building built in 1872 and was borne in the Publi Works Department books till 1911, when it was taken over by the Customs Department, and that the compound in which the Customs Office building is located belongs to Government. The case of the plots in the Port of Adirampatnam, referred to by you, is not similar to the present cases. In the former case the extents of the plots were large and the Customs and Salt Departments were in actual occupation of only portions of the plots and these portions have been excluded while the Board of Revenue proposed that the classification of the remaining portions migh be altered as belonging to the Provincial Government. In the present cases the extents of the plots are small (82 and 31 cents respectively) and they are actually in the possessio of the Customs Department and have already been registered as

belonging to the Central Government. Extracts from the Settlement Register relating to the plots are enclosed.

A Register.

Extract from Settlement Adangal.

Survey and Settlement Register of No.4 Chitrap Village of Mangalore Taluk, South Kanara District.

Survey No.	Sub-Division.	Old warg.	Wet, garden or dry or unassessed or poramboke .	Extent.	Assessment.
				Ac.Cent	
34	6		Poramboke	82	Customs Office.

Renumbered as S.No. 45.

True extract.

Sd.

P.D. Mulki.

Letter from the Headquarters Assistant to the Collector of Salt Revenue, Madras C.No. 8646-B.II-Cus/38 dated 25th February 1939 to the Presidency Port Officer, Madras. (with a copy of the letter from the Central Board of Revenue).

Lands and buildings - Land in Survey No. 129/7 Baindur Custom House - Calicut Circle - Transfer of the Port Department for construction of Port Office.

With reference to your letter No. 86-G1/39 dated the 12th January 1939, I have the honour to enclose a copy of letter from the Central Board of Revenue D.Dis.No. 30-G1.I/39 dated the 17th February 1939 sanctioning the transfer of the plot of land required by you. The market value of the land is Rs.46/-

2. The Salt Assistant Commissioner, Tondiarpet, Madras will on payment of the market value of the land arrange for the -- transfer of the plot of land to the Land Revenue Department for alienation to your department.

Copy of letter D.Dis.No. 30-G1.I/39, dated 17-2-39 from Central Board of Revenue, New Delhi to the Collector of Salt Revenue, Madras.

-

Lands and Buildings - Land in survey No. 129/7 - Baindur Custom House - Calicut Circle - Transfer of to the Port Department for construction of Port Office.

-

In reply to your letter C.No. 8646-B.II.Cus/38, dated the 9th February 1939, I am directed to convey the sanction of the Board to the transfer to the Land Revenue Department for -- alienation to the Port Department of a plot of land measuring 56' x 56' which is situated at the South Western Corner of the Custom House Compound, Baindur, subject to the payment of its market value.

Copy of letter from the Port Officer, Mangalore, to the Presidency Port Officer, Madras, No.-1692/38-24, dated 15th May 1939.

Ref.- Mulki and Baindur Ports - Construction of Port Offices - Site No. 3162.A/38.4, dated 13-4-1939.

Submitted.

Mulki Port.- The plot described as "Customs Office Coromboke" is partly within the port limits of Mulki and partly outside it - vide sketch enclosed.

Baindur Port - The plot described as "Customs Office Coromboke" is outside the port limits of Baindur. A sketch is enclosed.

9 17 (F.W.S.)

A.J.L.R

Land – C.S. (Kanara) – Mulki and Barkur ~~taluk~~ parts – Construction of Post Office buildings – Sites – Ownership

DEPARTMENT
16 AUG 1939

From Collr, S. Kanara to Presidency Post Offr, Madras, D. No. 2740-39 dated 10-6-39 Q.

From the Govt (Pub) – E 4322/38 – Govt Endt no 3758 Apts 9-2 dt 17.7.39. Q

Rycee 4322/39-1 dated 12-8-39

The Collr is requested to submit a plotted sketch of R.S. No 65 (O.S. No 34/6) of Cheitrapur Uge, Mangalore taluk and S. No 129/7 of Padavani Uge, Coondapur taluk, showing the Customs buildings therein and the portion required for ~~Govt~~ Presidency Post Office for building post offices. He is also requested to report

(1) the extents comprised by the Customs buildings,

(2) whether the S. Nos were in the occupation of the Customs Dept immediately before 1-4-37,

(3) whether the lands were acquired when and, if so, by ~~whom~~ and at whose cost

and (4) when the buildings were in the occupation of the Customs Dept

Govt Pub Endt E 5950/39 dated.

constructed and at whose costs.

2/ The Examining Engineer may be
8/8 consulted as regards Item (4).

4/ A very early reply is requested

copy

To

The Collr of S. Kanara.

with a copy of his
Lr dt 2nd Sept. 39 (17)
& its enclos.

(MAI-4 of
5 Oct 39
Secret
Dept)

4/11839

11 & 17

D.Dis.No.5775-1939.

South Kanara Collector's Office,

Camp.- Mudabidri, dated 18th Septr. 1939.

From

Sri Rao Bahadur C. P. Karumbaya Menon,

Collector of South Kanara.

To

The Secretary to the Board of Revenue,

Land Revenue & Settlement,

M a d r a s.

Sir,

P O R T S--(South Kanara)--Mulki and Baindur ports--Construction of Port Office buildings--Sites--Ownership--Report submitted-

Reference:- Board's Ref. E.No.4322/39-1, dated 12--8--1939.

17-18 C.F

@@@@@@

Pp 23/25 C F

I enclose two plotted sketches of R.S.No.45 (O.S.No.34/6) of Chitrap village (Mulki Port), Mangalore Taluk and of S.No.129/7 of Paduvari village (Baindur port), Coondapoor Taluk, showing therein the Customs buildings and the portions required by the Presidency Port Officer for building port offices. The actual extents required for the construction of the port office buildings have not been ----- intimated by the Presidency Port Officer.

2. The extent occupied by the Customs building in R.S.No.45 of Chitrap village is 3 cents and that in ---- S.No.129/7 of Paduvari village is 2 cents. The plots are reported to have been in the occupation of the Customs Department immediately before 1-4-1937.

3. In the case of R.S.No.45 of Chitrap village, (Mulki) the Tahsildar reports that it was not acquired, but

that it appears from the printed register found in the Customs Office, Mulki, that the land was donated to the Customs Department by a private individual in the year 1870 and that the present customs building was constructed by that Department. As regards the land, S.No.129/7 of Paduvari village (Baindur), the Tahsildar reports that no information is available whether it was acquired at any time. It is -- however found from the printed General information book of Baindur Customs Office that the Customs House is located in a Government building built in 1872 and was borne in the -- P. W. D. books till 1911, when it was taken over by the --- Customs Department and that the compound in which the Customs Office building is located belongs to Government. The ---- Executive Engineer, P. W. D., West Coast Division, Calicut, who has been consulted in the matter, reports that according to information available in his office records both the --- Customs buildings were constructed in 1860 and that the cost was ~~not~~ met from Central (Imperial) Civil Customs Fund. It is possible that the land in Chitrap village (Mulki) was a private land which was occupied by the Customs Department first and subsequently donated to that Department by the --- owner of the land, that the land in Paduvari village (Baindur) was vacant Government land before it was occupied by the --- Customs Department and that the Customs Department did not -- incur any cost for the purchase of the land though that Department met the cost of both the buildings from the Central (Imperial) Civil Customs Fund.

4. There are different versions regarding the year in which the two Customs buildings were constructed. The P.W.D. records show that the buildings were constructed in 1860 while the Customs Office records refer to 1870 and 1872. It is not possible to explain this discrepancy at this distant date as

no records relating to the subject are available in the Revenue Department.

For Collector.

19-9-39.

18

~~Ports~~ C.S. Kanara) — Mulki and Bamindur ports — Construction of Port Office building at ~~Ports~~ — Guaranteeship - Report submitted.

ESPATCHED
1 DEC 1939

PIC F Govt P.W.D. (Marine) Deptt Endt No 375-S A/39 dated 17-7-39 — 9

Pp 19-21 C.F Collr of S. Kanara, D. Dis No S-775- dated 15-9-39 — 4

~~B P (Ports)~~ Ref E 4322/39-2 dated 16-10-39 submitted to Govt

2/ On the circumstances reported by the Collr, the Board submits that the entire land in question must be held & vest in the Central Govt (Customs Department) with regard to Sec 172(1) of the Govt of India Act 1935.

14/X

To

The Secy to Govt, P.W.D. (Marine) Deptt

(with enclosures)

Pp 3 to 5 C F ~~from~~ 23-25 C F to go in original.

R. Section

Pl keep copies of Pp 3-5 C F in the files

14/10.

C.F. 32 (a).

17 PUBLIC WORKS DEPARTMENT.

In reply, please quote number, date and short title.*

Received ..... *Registered* 87197

OF THE BOARD OF REVENUE
21 NOV 1939
MADRAS

From (Name) H.R. DOGRA ESQ., B.Sc.,
Chief Engineer, P.W.D.
(Designation) (General, Buildings & Roads)

Post Box 410, (Station) Chepauk, Madras.

Telegraphic Address Cuyadamica

To

The Secretary to the Board of Revenue,
M a d r a s.

No. 2006 Ac/39-1, *dated* 20th Novr. *1939.*

Sir,

Ports - Mulki and Baindur land - Ownership-

Enclosures .....

Public Works (Marine) Department, Endt. No.3758 A/39-2, d/17-7-1939.

Spare Copies .....

I request to be informed whether the Board's remarks on the above mentioned reference have been forwarded to Government.

for Chief Engineer, P.W.D.
20.11.39

S.S.20/11/39.

20.11.39

37205

Received....20/11/39....1939. Registered.....1939.

Abstract.

Ports - Mulki and Baindur - Lands required for construction of port offices - Payment of compensation to the G.2. - Sanctioned.

-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-

Public Works Department (Marine).

G.O. Ms. No.2700, dated 17th November 1939.

Read the following:-

From the Presidency Port Officer, No.831 G1/39-2, dated 7th July 1939.
From the Board of Revenue, Ref. E. 4322/39-2, dated 16th October 1939.

O R D E R:-

The Government accept the recommendation of the Board of Revenue that the lands in South Kanara District noted below should be held to vest in the Central Government (Customs Department) withreference to Section 172(1) of the Government of India Act, 1935:-

(1) R.S.No.45 (O.S.No.34/6) of Chitrap Village (Mulki Port), Mangalore Taluk,

(2) R.S.No.129/7 of Paduvari Village (Baindur Port), Coondapur Taluk.

2. The Presidency Port Officer has reported that portions of the lands specified in para 1 above are required for the construction of port offices. The Government accordingly

sanction the purchase of the land required on payment of market value to the Customs Department.

3. The Presidency Port Officer is requested to report the actual extents of the plots taken at the two ports together with their prices.

(By Order of His Excellency the Governor)

K. Ramunni Menon,
Secretary to Government.

To the Presidency Port Officer.
" " Examiner of Local Fund Accounts.
" " Collector of South Kanara (with enclosures in original).
" " Board of Revenue.
" " Revenue Department.

(True Copy)
F o r w a r d e d.
(By Order)

Superintendent.

2/ (F.W.S)

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..	18/12	15/12
When copied ..	20/12	
When examined..		
When signed ..		
When despatched.		

SUBJECT:—

Ports — (S. Kanara) — Mulki and Baindur ports — Constructing Port Office Bldgs. — H.G. — Ownership — Orders — Passed — ~~Information~~ — Furnished.

READ AGAIN _____, dated _____ 19____.

Q. Recorded.

" " _____ " _____ 19____.

READ *ALSO*:—

C.F. No. _____ From the Govt P.W.D Endt No 3757 A/39-2 dated 17-7-39 — Q.

C.F. " _____ " Ch. Engr, P.W.D (Genl, Bldgs) (R&B) No 2006 AC/39-1 dated 20-11-39. } Q.

C.F. " _____ " G.O No My 2700 P.W.D (Marine) dated 17-11-1939. }

Order ~~Ms.~~ Resolution ~~Rout.~~ No. 3608, dated 15—12—1939.

Recorded

2/ The Bds' remarks on the Govt Endt cited above were already (the) they have called to Govt and Govt's orders in the matter. (X) passed ~~thereon~~. A copy of the G.O. is sent to the Chief Engr. for information.

(X) As the collr. had consulted the Ex Engr in submitting his report the Board considered it unnecessary to consult the C.E (9 Bds)

HSP for 9/12/1939 (8) 13/12

The Ch. Engr (Genl, Bldgs) (R&B) P.W.D

[with a copy of G.O. No. My 2700 P.W.D (Marine) 17-11-39]

Mp 19-21 C.F. to be copied for record

Dr for 14/12/39

Note file

Paper put up. -

Mis 1051 — (L)
17-4-39
A.S(L.R)

Lands — (S. Kanara) — Mulki and Bamidur ports — Construction of Post Office buildings — Sites — Ownership —

Sketches at pp 22 & 25 C.F

Pp 1-4 C.F — Govt P.W.D Endt No 375-PA/39-2 dated 17-7-39.

Pp 19-21 C.F — Collr of South Kanara, D. No 5775-39 & 18-9-39

This file deals with the ownership of two plots of lands in Mulki and Bamidur ports in S. Kanara Dr.

2. The plots in question are R.S. No 45 (G.S. No 34/6) of Chitrapur Vge, Mangalore taluk and S. No 129/7 of Padavani Vge, Coondapur Tk. A portion of each of these S. Nos is occupied by a Customs building. The Port Authorities proposed to construct Post Office buildings on each of these plots. The Customs deptt

p 7 C.F — claimed that the lands belonged to them and so required the payment of the market value of the portions proposed to be occupied by the Post Authorities. The Collector

p 5 C.F — of S. Kanara supported this contention by stating that the plots were actually in the possession of the Customs Deptt and that

p 5 C.F — they have been classed in the Sett. Regr. as Customs Office Paramboke. On the other hand, the Presy. Post Office contended that

lands did not belong to the Customs Deptt. His argument was that the lands were described as 'Parambokke' only in Col. 4 of the Sett Regr (the words 'Customs Office' are entered in the remarks Column) and that there were no title deeds to show that they belonged to the Customs Deptt. He also quoted in his support G.O. No Ms 153, P.W (Marine) dated 21-1-35 which related to certain land within Adiramapatnam Port limits containing Customs Deptt. bldgs. In this case the Govt ordered that the land excluding the site occupied by the Customs bldg vested in the Port Govt. para 2, p 4 c 1. p 34 (L) = -do-

3/. The matter was referred to the Bd. for remarks. The Bd asked the Collr to furnish information on certain points inorder to arrive at a decision on the ownership of the lands. p 1 c 1. pp 17-1; c 1.

4/. The Collr's report is at pp 19-21 c A. The Collr has enclosed plotted sketches of the two lands showing therein the Customs bldgs and the portions reqd. by the Proper Port Officer. Regarding the ownership of the plots, the substance of the Collr's report is given below:— pp 2-3 / 25 c 1.

(1) Both the plots are reported to have been in the occupation of the Customs Deptt immediately before 1-4-37. para 2, p 1 c

(2) R.S. No 45 (Mulki) was donated to

by a private individual
the Customs Deptt/ in 1870. As regards
e land, S. No 129/7 C Boundary), the Comp-
nd of the Customs bldg situated on this
d belongs to Govt. It is possible that
entire land was vacant Govt land
ve occupation by the Customs Deptt.

(3) The Customs bldgs on both the plots
re constructed about the period
0-1872 at the cost of that Deptt.

57. It is therefore clear from the Coll's
rt that the lands in question belong
the Customs Deptt. The Coll's letter may
rred to Govt with the remarks that,
the circumstances, ~~the Customs Deptt is~~
~~titled to the lands. For orders.~~

(i) the entire lands must be held to
vest in the ~~Pr~~ Central Govt (Customs
Deptts) with ref. to Sec 172 (1) of the Govt
of India Act, 1935.

The Coll. has consulted the Chief,
W. Coast Dvn, in submitting his
report. It is not necessary to consult
the C.E (R, B&Q) with ref to the Govt
Govt at p.f.

for
10/2/62

19
11.x

To A.S.(L.N)

A.S.(L.R)

Draft subd.

14/6

CB
14.A

A(L.N)

E 7(77)/39 Ch Engr, P.W.D (Genl, Bldgs, Roads), No 2006/AC-39-1 dt 20-11-39 p1 ante

E 7205/39 G.O. No (P.W.D) No 2700 dated 18-11-39 pp 19-21 ante

In the G.O. read above, the Govt have passed orders on the Bds' report at p1 ante. The G.O. has been communicated to the Collr. The ch Engr asks whether the Bds' remarks on the Endt at p1 ante have been forwarded to Govt. ~~The Govt has not been communicated to him~~ ~~may now be communicated to him~~ Draft subd.

The Govt Endt was refd to the Bd for remarks p1 ante
A copy of the Endt was communicated to the ch Engr.
in consultation with the Chief Engr & the Bd did not consult the Chief Engr directly but, in forwarding the Endt to Collr for report, asked p10 ante
him to consult the Ex. Engr. The Collr. Consulted the Ex. Engr and subd. his report on para 3, p12 ante
which orders have now been passed by the Govt. The Ex. Engr is not aware of all these as the G.O. was not communicated to him. He may now be told that Bds' remarks were forwarded to the Govt & their orders passed thereon. A copy of the G.O. may be sent to him for pp 19-21 ante
information. Draft subd.

CB 13-11

9/12

Dated 15-12-39.

~~Z. I. Board~~
Single Member

I.A.	A.D.S. and L.R.	Assistant Secretary. Land Rev.	Settlement.	Sep. Rev.	Jt. Secy.	Secy.	M.4.	M.3	M.2.	M.1.

Open file seen by
Final draft seen by
Now circulated to
Initials.

Passed for record.

~~Secretary.~~
~~Joint Secretary.~~
A.S. (C.N.)
A.S. (L.R.) 083.1
A.S. (Sett).
A.S. (Excise)
A.D.S. & L.R.
I.A.

Note:- Entries not required to be scored out.

Top fly
3/1/40